2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

23 May 2005

Original: English

Note verbale dated 20 May 2005 from the Permanent Mission of Germany addressed to the Secretary-General of the Conference

The Permanent Mission of Germany to the United Nations presents its compliments to the Secretary-General of the Conference, and with reference to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), has the honour to request that the following German contribution submitted to the Preparatory Committee be circulated as a working paper of the Conference:

- Non-strategic nuclear weapons (NPT/CONF.2005/PC.I/WP.5) of 11 April 2002

Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

11 April 2002

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New York, 8-19 April 2002

Non-strategic nuclear weapons

Working paper submitted by Germany

1. In the past the nuclear disarmament process between the Union of Soviet Socialist Republics/Russian Federation and the United States of America was primarily focused on long-range strategic systems (SALT, START) or intermediate-range nuclear forces (INF). Non-strategic or tactical nuclear weapons have so far not been covered by formal arms control agreements. However, the United States of America and the Soviet Union/Russian Federation, in 1991/1992, made unilateral commitments in this field; however, these are not subject to any accountability or verification. Rumours about the deployment or redeployment of non-strategic nuclear weapons in Europe have given rise to public concerns over the last few years.

2. There are significantly more nuclear warheads for tactical delivery systems than for strategic ones. The exact numbers are unknown; during the Code War tens of thousands of warheads and nuclear mines were produced; and we have to assume that there are still thousands of them left today. The sheer numbers in some arsenals give rise to concern. Non-strategic nuclear weapons are seen to pose particular risks also for other reasons: many of the warheads are presumably old and might have already exceeded their original lifespan; there are perceptions that the barriers against their use are lower compared with strategic systems; storage and deployment patterns and possible additional transportation risks as well as the often smaller size foster concern about enhanced proliferation risks and the danger that terrorists might gain access to them.

3. The need for action was already acknowledged at the end of the Cold War. The Heads of State and Government participating in the 1990 London meeting of the North Atlantic Council concluded that "as a result of the new political and military conditions in Europe, there will be a significantly reduced role for sub-strategic nuclear systems of the shortest range. They have decided specifically that, once negotiations begin on short-range nuclear forces, the Alliance will propose, in return for reciprocal action by the Soviet Union, the elimination of all its nuclear artillery shells from Europe". The statement was followed in 1991 by the United States Presidential nuclear initiative, a unilateral reduction commitment by President Bush,

which was reciprocated by the Soviet Union/the Russian Federation in 1991 and 1992 by the announcement of commitments similar to the ones suggested by the United States. Finally in 1997 the United States and the Russian Federation agreed that, in the context of the START III negotiations, they would explore possible measures relating to tactical nuclear systems, including appropriate confidence-building and transparency measures (cf. Helsinki Agreement on START III of 22 March 1997).

4. The Final Document of the 2000 NPT Review Conference contains, for the first time, a reference to non-strategic nuclear weapons in the so-called "13 steps" ("the further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process"). Thus a specific obligation was established that the nuclear-weapon States have to live up to. As part of the overall nuclear disarmament process, non-strategic weapons must be reduced in a verifiable and irreversible manner. However, recognizing that their elimination will not be possible in one leap, a gradual approach is suggested, which could include the following elements:

(a) Reporting by the Russian Federation and the United States on the implementation of the 1991/92 Presidential nuclear initiatives;

(b) Formalization of the Presidental nuclear initiatives, including an agreement on appropriate verification measures, which would give assurance of compliance with them;

(c) In line with the December 2000 NATO Report on Options for Confidence and Security Building Measures, Verification, Non-Proliferation, Arms Control and Disarmament: agreement on reciprocal exchanges of information regarding readiness status, safety provisions and safety features, and an exchange of data on United States and Russian Federation sub-strategic nuclear forces. The adoption of the four confidence and security building measures, which are the subject of discussions in the context of the NATO-Russian Federation relationship, should be encouraged;

(d) Following a successful conclusion of the current bilateral negotiations on strategic offensive arms, the Russian Federation and the United States should be encouraged to start negotiations on non-strategic nuclear weapons in order to close the existing loophole in the nuclear disarmament process;

(e) The NPT Review Conference and its Preparatory Commission should be regularly informed about the progress made on the issue of non-strategic nuclear weapons;

(f) In line with the requirement of reducing nuclear dangers, nuclear-weapon States that have not yet done so should also take particular security precautions (i.e. physical protection measures for transport and storage) regarding their non-strategic nuclear arsenals. The NPT Review Conference and its Preparatory Committee should be kept duly informed about this.